

# **HARBOR VIEW HILLS**

## **PLANNED COMMUNITY DISTRICT REGULATIONS**

Amended March 8, 1982  
Resolution No. 82-32  
Amendment No. 570

Amended September 26, 1983  
Ordinance No. 83-24  
Amendment No. 590

Amended August 24, 1992  
Resolution No. 92-89  
Amendment No. 763

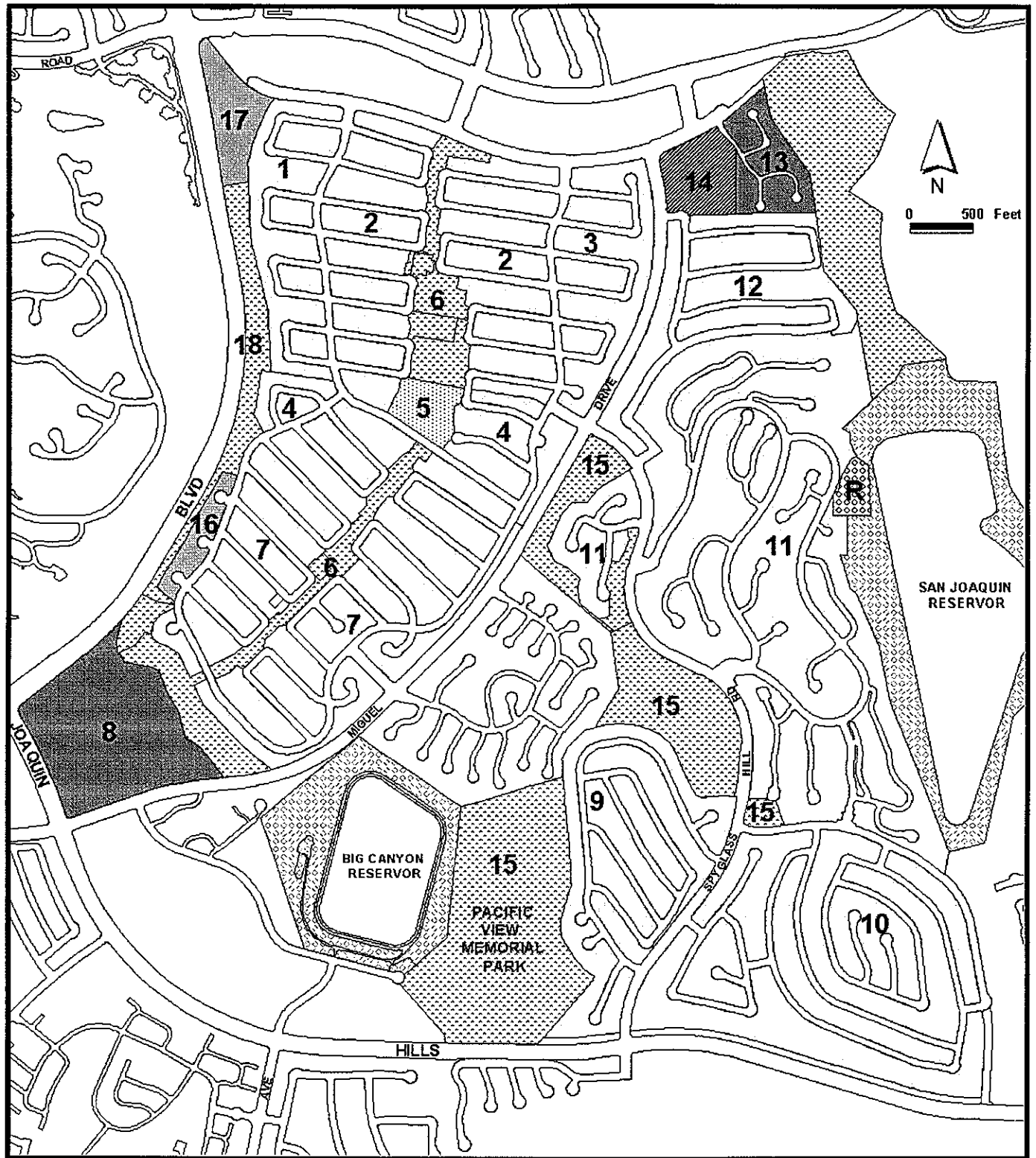
Amended October 9, 1993  
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# HARBOR VIEW HILLS

## LAND USE PLAN

### LEGEND

- LOW MEDIUM AND HILLSIDE
- LOW MEDIUM DENSITY RESIDENTIAL
- MEDIUM HIGH DENSITY RESIDENTIAL
- COMMERCIAL
- SCHOOL
- PARK AND OPEN SPACE
- RESERVOIR/CARETAKER'S RESIDENCE

Amendment No.14

## INTRODUCTION

The Harbor View Hills, Amendment 11, PC (Planned Community) District for the City of Newport Beach has been developed in accordance with the proposals of the South Irvine Ranch General Plan. The area is considered appropriate for residential development.

The purpose of this PC (Planned Community) District is to provide a method whereby property may be classified and used for residential development, utilizing a variety of housing types and densities and other community facilities compatible therewith. The specifications of this district are intended to provide flexibility for both the land use and development standards in planned building groups.

Except as expressly stated within the text of this PC (Planned Community) ordinance, all applicable to provisions and requirements of the City of Newport Beach Zoning Las shall apply.

## **SECTION I - Statistical Analysis**

### Harbor View Hills

<u>TYPE</u>	<u>AREA</u>	<u>ACRES</u>	<u>D.U./AC.</u>	<u>D.U.</u>	<u>PER/D.U.</u>	<u>POPULATION</u>
<u>Residential:</u>						
Low Medium Density	1*	28.1	4.1	115	3.6	414
	2*	78.1	4.0	317	3.6	1,141
	3*	32.4	3.5	114	3.6	410
	4*	43.8	4.3	190	3.6	684
	7*	79.3	4.3	340	3.6	1,224
	16	3.5	3.4	12	3.6	44
	17	<u>7.5<sup>2</sup></u>	4.8	<u>36</u>	3.6	<u>130</u>
	<b>Subtotal</b>	272.7		1,124		4,047
Hillside Low Medium Density	9*	51.5	2.6	133	3.6	479
	10*	104.0	2.2	216	3.6	777
	11	153.6 <sup>1</sup>	2.4	372	3.6	1339
	12*	<u>40.0</u>	3.0	<u>119</u>	3.6	<u>428</u>
	<b>Subtotal</b>	349.1		840		3023
Medium/High	8*	34.7	11.2	388	2.0	776
	13*	<u>10.7</u>	5.9	<u>064</u>	2.0	<u>128</u>
	<b>Subtotal</b>	45.4		452		904
<u>Support Facilities:</u>						
<u>Reservoir/</u>						
Caretakers Residence		2.4 <sup>1</sup>	.83	2	3.0	6
Commercial	14	8.6				
Elementary	5	10.0				
Park and Open Space	6	21.5				
	15	41.0				
Open Space and Future Right-of-Way	18	<u>17.3</u>				
	<b>Subtotal</b>	100.8				
<b>GRAND TOTAL</b>		<u>768.0</u>		<u>2,418</u>		<u>7,980</u>

For information purposes only. The statistics are based upon gross acreage and do not reflect the land area lost to street construction. Estimation of street areas cannot be accurately determined until preparation of subdivision maps.

\* Portion of the adopted Harbor View PC (Planned Community) ordinance amended to reflect actual construction figures.

- (1) Add 1.1 acres for Resubdivision No. 734; add 2.4 acres for Annexation No. 89; caretaker's quarters appurtenant to reservoir facility permitted for exclusive use of reservoir personnel. [A590]
- (2) In the event Ford Road is realigned, the project area may expand to the City of Newport Beach City boundary line or right-of-way line. All setback requirements shall still apply.

## SECTION II. General

An estimated population of 7,800 persons is anticipated for the total planning area. This figure has been used for estimating community facilities.

### Schools

The community of Harbor View Hills presently falls within two (2) unified school districts. The area located west of San Miguel Drive, the Newport Mesa Unified School District provides school facilities. The area east of San Miguel Drive is served by the Irvine Unified School District and the Newport-Mesa Unified School District. In an effort to anticipate the maximum number of school students to be generated by the total community, highest student per unit factor was applied.

The following figures represent a project total student enrollment based upon actual numbers of dwelling units or anticipated number of dwelling units to be constructed based upon net acreage.

#### AREA 1 NEWPORT-MESA UNIFIED SCHOOL DISTRICT

<u>Type</u>	<u>Students/ Dwelling Unit</u>		<u>Dwelling Units</u>	<u>Students</u>
Elementary (K-6)	SFD	.55	1,076	592
	MF	.08	388	<u>31</u>
SUB TOTAL				623
Junior High (7-8)	SFD	.30	1,076	323
	MF	.04	388	<u>16</u>
SUB TOTAL				339
Senior High (9-12)	SFD	.35	1,076	377
	MF	.08	388	<u>31</u>
SUB TOTAL				408

These generation factors are based on actual attendance from these homes and multi-family projects.

These numbers reflect actual construction figures.

**AREA 2**  
**NEWPORT-MESA UNIFIED SCHOOL DISTRICT and**  
**IRVINE UNIFIED SCHOOL DISTRICT**

NOTE: The table below is based on the Newport-Mesa Unified School District generation figures and class structure.

<u>Type</u>	<u>Students/ Dwelling Unit</u>		<u>Dwelling Units</u>	<u>Students</u>
Elementary (K-6)	SFD	.55	840	462
	MF	.51	64	<u>33</u>
SUB TOTAL				495
Junior High (7-8)	SFD	.30	840	252
	MF	.28	64	<u>18</u>
SUB TOTAL				270
Senior High (9-12)	SFD	.35	840	294
	MF	.30	64	<u>19</u>
SUB TOTAL				313

TOTAL - AREA 1 AND AREA 2

Elementary (K-6)	1,118
Junior High (7-8)	609
Senior High (9-12)	721

One (1) elementary school site exists within this community.

Recreation

Park and open space areas totaling approximately 62.5 acres serve the recreational needs of the residents of Harbor View Hills. This acreage figure does not include the facilities provided by the elementary school site. A total of 21.5 acres of park and open space has been provided to serve the residents in Areas 1, 2, 3, 4, 7 and 8 and an additional 41.0 acres is proposed for residents in Areas 9, 10, 11 and 12.

Additionally, private recreational facilities have been developed as a part of each apartment complex to satisfy the needs of persons living in said areas. Design of the recreational areas for the apartment complexes is subject to the review and approval of the Director of Parks, Beaches and Recreation of the City of Newport Beach.

In accordance with the adopted City Council policy, maintenance of public facilities will be performed by the City of Newport Beach. All private open and recreational areas within the development boundaries will be



maintained by a private community association established by and consisting of homeowners within the subject development.

#### Commercial

An 8.6 acre neighborhood shopping complex serves the residents of the Planned Community of Harbor View Hills. This center provides goods and services necessary to meet the requirements of the community.

#### Uniform Building Code

No portion of this text withstanding, all construction within this Planned Community shall comply with the regulations of the Uniform Building Code as adopted by the City of Newport Beach.

#### Nonconforming Structure

Structures which were constructed prior to the adoption of Amendment No. 9 of this Planned Community (June 1976) and which become nonconforming because of the changes to the setback requirements may be altered, remodeled, or expanded without first securing a modification, provided that all new construction comply with the revised setback requirements.

### **SECTION III. Definitions**

The following definitions refer to the permitted uses described in the Development Standards contained in this ordinance.

A. Cluster or Townhouse Development

A combination or arrangement of attached or detached dwellings and their accessory structures on contiguous or related building sites where the yards and open spaces are combined into more desirable arrangements of open space and where the individual sites may have less area than the required average for the district but the density of the overall development meets the required standard.

B. Conventional Subdivision on a Planned Community Concept

A conventional subdivision of detached dwellings and their accessory structures on individual lots where the lot size may be less than the required average for the district but where the density for the entire subdivision meets the required standards and where open space areas are provided for the enhancement and utilization of the overall development.

## **SECTION IV. Low Medium Density Residential Areas 1, 2, 3, 4 & 7**

These areas are intended to provide primarily for single family residential housing and related community facilities developed under generally level topographic conditions.

### **A. Permitted Uses**

1. Single family dwellings, detached and attached.
2. Conventional subdivisions and conventional subdivisions on a Planned Community concept.
3. Cluster developments, subject to the approval of a Use Permit.
4. Parks, playgrounds, recreation or open space and green areas, riding, hiking and bicycle trails and related facilities of a non-commercial nature.
5. Accessory buildings, structures and uses where related and incidental to a permitted use.
6. One (1) on-site unlighted sign, not exceeding two (2) square feet in area, to advertise the lease, rental or sale of the property upon which it is located. Such sign may show only the name, address and telephone number of the owner, but shall not show the name, address, telephone number of any other description or identification of any person, firm or corporation other than the owner of said property.
7. Community recreational facilities and structures, subject to the development standards contained in Section IX, Community Facilities, of this ordinance.

### **B. Average Area per Dwelling**

An average area of 7,000 square feet shall be provided for each dwelling unit in Areas 1, 2, 3, 4 and 7. For the purpose of this section, average area per dwelling shall mean the average of all developed areas (to include parks, recreational and permanent open space) exclusive of areas dedicated for vehicular rights-of-way divided by the total number of dwelling units.

### **C. Maximum Building Height**

All buildings shall comply with the height restrictions established by the City for this area. The maximum height of all buildings shall be thirty-two (32) feet, and shall be measured in accordance with the Newport Beach Municipal Code.

### **D. Setbacks from Streets**

The following setbacks shall apply to all structures (not to include garden walls or fences) adjacent to dedicated vehicular rights-of-way. Said setbacks are to be measured from the ultimate right-of-way line.

Prior to the issuance of building permits, a map shall be submitted to the Community Development Director indicating the setbacks of all structures proposed in the development. The Community Development Director shall review said map in view of setbacks listed in this ordinance and/or sound planning principles and shall either approve, modify, disapprove the setbacks shown, or refer the matter

to the Planning Commission for a determination. In the case of modification or disapproval, the applicant may appeal to the Planning Commission for further consideration.

<u>Street Designation</u>	<u>Setback from Ultimate Right-of-Way Line</u>
Major	15'
Primary	10'
Local Collector*	10'
Local Collector	5'
Local Street	5'

\*With center median

E. Setbacks from Property Lines

All setbacks listed under this section refer to all property lines not affected by the requirements of Sub-Section D above.

1. Side Yards  
There shall be a minimum side yard setback of five (5) feet.
2. Rear Yards  
There shall be a minimum rear yard setback of ten (10) feet.
3. Fences, Hedges and Walls  
Limited to a maximum height of eight (8) feet, except for the area within five (5) feet of the front property line, where they shall be limited to three (3) feet. Wing walls, where an extension of a residential or accessory structure may be eight (8) feet in height. At street intersections, no such appurtenance shall exceed thirty (30) inches in height above street pavement grade within the triangle bounded by the right-of-way lines and a connecting line drawn between points thirty (30) feet distant from the intersection of the right-of-way lines prolonged.
4. Trellis  
Open trellis and beam construction shall be permitted to attach the garage or carport to the dwelling and may also extend from the dwelling to within three (3) feet of the side or rear property line. In side yards, the maximum height shall be eight (8) feet.

F. Parking

Parking for residential uses in Areas 1, 2, 3, 4 and 7 shall be in the form of not less than two (2) garage spaces per family unit.

G. Maximum Site Area Coverage

For aggregate building coverage, the maximum shall be 60 percent of any lot.

H. Architectural Features

Architectural features, limited to cornices or eaves, may extend two and one-half (2 1/2) feet into any front, side or rear yard setback.

## SECTION IV-A: Low Medium Density Residential Areas 16 and 17

These areas are intended to provide primarily for single family residential housing and related community facilities developed under generally level topographic conditions.

### A. Permitted Uses

1. Single family dwellings, detached.
2. Conventional subdivisions and conventional subdivisions on a Planned Community concept.
3. Cluster developments, subject to the approval of a Use Permit.
4. Parks and playgrounds.
5. Accessory buildings, structures and uses where related and incidental to a permitted use.

### B. Minimum Lot Size

A minimum lot size of 5,000 square feet shall be provided for each dwelling unit in Areas 16 and 17.

### C. Maximum Building Height

All buildings shall comply with the height restrictions established by the City for this area. The maximum height of all buildings shall be thirty-two (32) feet, and shall be measured in accordance with the Newport Beach Municipal Code.

### D. Setbacks from Streets

The following setbacks shall apply to all structures adjacent to dedicated vehicular rights-of-way. Said setbacks are to be measured from the ultimate right-of-way line.

<u>Street Designation</u>	<u>Setback from Ultimate Right-of-Way Line</u>
Arterials	35 ft
Local Collector	5 ft
Local Street	5 ft

\* With center median

### E. Setbacks from Property Lines

#### 1. Front Yard Setbacks

There shall be a minimum front yard setback of ten (10) feet.

#### 2. Side Yards

There shall be a minimum side yard setback of five (5) feet.

#### 3. Rear Yards

There shall be a minimum rear yard setback of twenty (20) feet.

4. Fences, Hedges and Walls

Limited to a maximum height of eight (8) feet, except for the area within five (5) feet of the front property line, where they shall be limited to three (3) feet. Wing walls, where an extension of a residential or accessory structure may be eight feet (8'0") in height.

At street intersections, no such appurtenance shall exceed thirty (30) inches in height above street pavement grade within the triangle bounded by the right-of-way lines and a connecting line drawn between points thirty (30) feet distant from the intersection of the right-of-way lines prolonged unless City Standard Drawing 110-L requires a greater setback, or unless otherwise approved by the City Traffic Engineer.

5. Trellis

Open trellis and beam construction shall be permitted to attach the garage or carport to the dwelling and may also extend from the dwelling to within three (3) feet of the side or rear property line. In side yards, the maximum height shall be eight (8) feet.

6. Garages

Garages shall be setback a minimum of twenty (20) feet in Area 16.

Garages shall be setback a minimum of five (5) feet to seven (7) feet or twenty (20) feet in Area 17.

7. Vehicular Sight Distance

Buildings and structures on curves and at intersections of streets shall be set back to provide sight distance per Standard Drawing 110-L with a design speed of 25 MPH unless otherwise approved by the City Traffic Engineer.

F. Parking

Parking for residential uses in Areas 16 and 17 shall be in the form of not less than two (2) garage spaces per single family unit.

G. Maximum Site Area Coverage

For aggregate building coverage the maximum shall be 60 percent of any lot.

H. Architectural Features

Architectural features, limited to cornices or eaves, may extend two and one-half (2-1/2) feet into any front, side or rear yard setback.

- I. Concurrent with submittal of plans for site plan review for the southern portion of the Freeway Reservation East site (Area 16), the project applicant shall submit to the City an acoustical barrier analysis (prepared by a City-approved acoustical engineer) which demonstrates that the proposed building designs result in optimal sound attenuation for the existing homes along Newport Hills Drive West, taking into consideration the anticipated layout of the site plan.

J. Signs

A sign program for areas 16 and 17, approved by the Irvine Company shall be submitted for review and approval by the City of Newport Beach as a part of site plan application.



## **SECTION V. Hillside Low Medium Density Residential Areas 9, 10, & 12**

This area is intended to provide primarily for single family residential housing and related community facilities developed under hillside topographic conditions.

### **A. Permitted Uses**

1. Single family dwellings, detached and attached.
2. Conventional subdivisions and conventional subdivisions on a Planned Community concept.
3. Cluster developments, subject to the approval of a Use Permit.
4. Parks, playgrounds, recreation or open space and green areas, riding, hiking and bicycle trails and related facilities of a non-commercial nature.
5. Accessory buildings, structures and uses where related and incidental to a permitted use.
6. One (1) on-site unlighted sign, not exceeding two (2) square feet in area, to advertise the lease, rental or sale of the property upon which it is located. Such sign may show only the name, address and telephone number of the owner, but shall not show the name, address, telephone number of any other description or identification of any person, firm or corporation other than the owner of said property.
7. Community recreational facilities and structures, subject to the development standards contained in Section IX, Community Facilities, of this ordinance.
8. Signs contained in Section X, Signs, of this ordinance, subject to the criteria contained in said section.

### **B. Minimum Lot Size**

A minimum lot size of 6,000 square feet shall be provided. However, an average area of 7,000 square feet shall be provided for each dwelling unit. For the purpose of this section, average area per dwelling shall mean the average of all developed areas (to include parks, recreational and permanent open space) exclusive of areas dedicated for vehicular rights-of-way divided by the total number of dwelling units.

### **C. Maximum Building Height**

All buildings shall comply with the height restrictions established by the City for this area. The maximum height of all buildings shall be thirty-two (32) feet, and shall be measured in accordance with the Newport Beach Municipal Code.

### **D. Setbacks from Streets**

The following minimum setbacks shall apply to all dwelling structures (not to include garden walls or fences) adjacent to streets. Said setbacks are to be measured from the ultimate right-of-way line.

However, the Community Development Director may, upon submittal of a tentative subdivision map, review said map in view of setbacks listed in this ordinance and/or sound planning principles and shall either approve, modify, disapprove the setbacks shown, or refer the matter to the Planning Commission for a determination. In the case of modification or disapproval, the applicant may appeal to the Planning Commission for further consideration.

<u>Street Designation</u>	<u>Setback from Ultimate Right-of-Way Line</u>
Major and Primary	20'
Local Collector	10'
Local Street	10'

Garage and carports shall conform to the building setback requirements above except that when the garage or carport faces the access street, a setback of five (5) feet or a minimum of twenty (20) feet shall be observed. Said setback shall be measured from back of curb, or in the event sidewalks are constructed, from back of sidewalk.

E. Setbacks from Property Lines

All setbacks listed under this section refer to all property lines not affected by the requirements of Sub-Section D above. Dwellings may orient toward the streetside property line or the opposite property line in order to take advantage of view conditions. The minimum setbacks shall be:

Rear or Front Yard  
Ten (10) feet.

Side Yard  
Five (5) feet, provided that a minimum of ten (10) feet is provided between a structure on the immediately adjacent lot.  
The above standards shall be required except that structures which abut a plaza, park, mall or other permanent open green space may abut the common property line and have openings onto same, provided the open spaces are not publicly owned.

F. Fences, Hedges and Walls

Fences shall be limited to a maximum height of eight (8) feet. Said fences are allowed in all setback areas, except in the view site setback where fences shall not exceed a height of six (6) feet and shall be open wrought iron or glass and further provides that no such appurtenance shall be placed closer than four (4) feet to any sidewalk or eight (8) feet from face of curb in the event no sidewalk is provided. Where the fence is required to protect a swimming pool, the fence shall be constructed so as to meet the requirements of the Uniform Building Code for pool safety. Wing walls, where an extension of a residential or accessory structure, may be eight (8) feet in height. At street intersections (to include driveway intersections with streets), no such appurtenance shall exceed

thirty (30) inches in height above street pavement grade within the triangle bounded by the right-of-way lines and a connecting line drawn between points thirty (30) feet distant from the intersection of the right-of-way lines prolonged.

G. Trellis

Open trellis and beam construction shall be permitted to attach the garage or carport to the dwellings and may also extend from the dwelling to within three (3) feet of the side or rear property line. In side yards, the maximum height shall be eight (8) feet. These areas shall not be considered in calculating lot area coverage; however, trellis areas shall not exceed 20 percent of the remaining open space of a developed lot.

Trellis and beam construction shall be so designed as to provide a minimum of 50 percent of the total trellis area as open space for the penetration of light and air to areas that it covers.

H. Parking

Parking for residential uses in Areas 9, 10 and 12 shall be in the form of not less than two (2) garage spaces per family unit. Guest parking in cluster developments shall be as required in a use permit.

I. Maximum Site Area Coverage

For aggregate building coverage, the maximum shall be 50 percent of any lot. For the purpose of this ordinance, coverage shall include all areas under roof but shall not include trellis areas.

J. Architectural Features

Architectural features, limited to cornices and eaves, may extend two and one-half (2 1/2) feet into any front, side or rear yard setback.

## **SECTION VI. Hillside Low Medium Density Residential Area 11**

This area is intended to provide primarily for single family residential housing and related community facilities developed under hillside topographic conditions.

### **A. Permitted Uses**

1. All those uses permitted in Section V of this text subject to the following development standards therein.
2. Cluster of townhouse developments subject to Development Plan review by Planned Commission.
3. Parks, playgrounds, recreation or open space and green areas, riding, hiking and bicycle trails and related facilities of a non-commercial nature.
4. Accessory buildings, structures and uses where related and incidental to a permitted use.
5. One (1) on-site unlighted sign, not exceeding two (2) square feet in area, to advertise the lease, rental or sale of the property upon which it is located. Such sign may show only the name, address and telephone number of the owner, but shall not show the name, address, telephone number of any other description or identification of any person, firm or corporation other than the owner of said property.
6. Community recreational facilities and structures, subject to the development standards contained in Section IX, Community Facilities, of this ordinance.
7. Signs contained in Section X, Signs, of this ordinance, subject to the criteria contained in said section.

### **B. Minimum Area Per Dwelling Unit**

A minimum lot of 1,500 square feet shall be provided. However, an average area of 4,000 square feet shall be provided for each dwelling unit. For the purpose of this section, average area per dwelling shall mean the average of all developed areas (to include parks, recreational and permanent open space) exclusive of areas dedicated for vehicular rights-of-way divided by the total number of dwelling units.

### **C. Maximum Building Height**

All buildings shall comply with the height restrictions established by the City for this area. The maximum height of all buildings shall be thirty-two- (32) feet, and shall be measured in accordance with the Newport Beach Municipal Code.

### **D. Setbacks from Streets**

The following minimum setbacks shall apply to all dwelling structures (not to include garden walls or fences) adjacent to streets. Said setbacks are to be measured from the ultimate right-of-way line.

However, the Community Development Director may, upon submittal of a tentative subdivision map, review said map in view of setbacks listed in this ordinance and/or sound planning principles and shall either approve, modify, disapprove the setbacks shown, or refer the matter to the Planning Commission for a determination. In the case of modification or disapproval, the applicant may appeal to the Planning Commission for further consideration.

<u>Street Designation</u>	<u>Setback from Ultimate Right-of-Way Line</u>
Major and Primary	20'
Local Collector	5'
Local Street	5'

Two car garages with direct access shall be setback from five (5) to seven (7) feet average or a minimum average of twenty (20) feet measured from back of curb, or in the event that sidewalks are constructed, from back of sidewalk. A minimum of eighteen (18) feet measured from back of curb, or in the event that sidewalks are constructed, from back of sidewalk shall be permitted with roll-up or other type garage doors approved by the City Traffic Engineer. Additional garage spaces need not meet the above criteria (A570).

E. Setbacks from Property Lines

All setbacks listed under this section refer to all property lines not affected by the requirements of Sub-Section D above. Dwellings may orient toward the streetside property line or the opposite property line in order to take advantage of view conditions. The minimum setbacks shall be:

Rear or Front Yard

Five (5) feet

Side Yard

Five (5) feet, provided that a minimum of ten (10) feet is provided between a structure on the immediately adjacent lot.

The above standards shall be required unless one of the following conditions prevails:

1. Structures which abut a plaza, park, mall or other permanent open space may abut the common property line and have openings onto same, provided the open spaces are not publicly owned.
2. Where there are not openings on a given side, that side may be placed on the property line and may abut a structure on an adjoining lot.
3. An attached or detached structure, i.e., garage, carport, etc., may abut a side property line or another structure, provided no openings are located on the abutting surfaces.

F. Fences, Hedges and Walls

Fences shall be limited to a maximum height of eight (8) feet. Said fences are allowed in all setback areas, except in the view site setback where fences shall not exceed a height of six (6) feet and shall be open wrought iron or glass and further provides that no such appurtenance shall be placed closer than four (4) feet to any sidewalk or eight (8) feet from face of curb in the event no sidewalk is provided. Where the fence is required to protect a swimming pool, the fence shall be constructed so as to meet the requirements of the Uniform Building Code for pool safety. Wing walls, where an extension of a residential or accessory structure, may be eight (8) feet in height. At street intersections (to include driveway intersections with streets), no such appurtenance shall exceed thirty (30) inches in height above street pavement grade within the triangle bounded by the right-of-way lines and a connecting line drawn between points thirty (30) feet distant from the intersection of the right-of-way lines prolonged.

G. Trellis

Open trellis and beam construction shall be permitted to attach the garage or carport to the dwellings and may also extend from the dwelling to within three (3) feet of the side or rear property line. In side yards, the maximum height shall be eight (8) feet. These areas shall not be considered in calculating lot area coverage; however, trellis areas shall not exceed 20 percent of the remaining open space of a developed lot.

Trellis and beam construction shall be so designed as to provide a minimum of 50 percent of the total trellis area as open space for the penetration of light and air to areas that it covers.

H. Parking

Parking for residential uses in Areas 11 shall be in the form of not less than two (2) garage spaces per family unit. Guest parking in cluster developments shall be as required by the site plan.

I. Maximum Site Area Coverage

For aggregate building coverage, the maximum shall be 100 percent of any lot. For the purpose of this ordinance, coverage shall include all areas under roof but shall not include trellis areas.

J. Architectural Features

Architectural features, limited to cornices and eaves, may extend two and one-half (2 1/2) feet into any front, side or rear yard setback.

## SECTION VII. Medium High Density Residential Areas 8 & 13

These areas are intended to provide for multiple family residential housing and related community facilities developed under hillside topographic conditions.

### A. Permitted Uses

1. All uses listed in Section IV, Low Medium Density Residential, and Section V, Hillside Low Medium Density Residential, subject to the design standards listed in those sections.
2. Apartments, subject to the design standards listed in Sub-Section B through H of this section.
3. Condominiums.

### B. Minimum Lot Size

A minimum lot size of 7,200 square feet shall be required. However, to determine site density, a minimum average area of 1,200 square feet shall be provided for each dwelling unit in Area 8 and 1,500 square feet shall be provided for each dwelling unit in Area 13. For the purpose of this ordinance, average area per dwelling shall mean the average of all developed areas on site (to include parks, recreational and permanent open space), exclusive of areas designated as public streets divided by the total number of dwelling units.

### C. Maximum Lot Size

All buildings shall comply with the height restrictions established by the City for this area. The maximum height of all buildings shall be thirty-two (32) feet, and shall be measured in accordance with the Newport Beach Municipal Code.

### D. Setbacks from Streets

The following minimum setbacks shall apply to all structures (not to include garden walls or fences), adjacent to streets. Said setbacks shall be measured from the ultimate right-of-way line.

However, the Community Development Director may, upon submittal of a tentative subdivision map or preliminary site plan, review said map or plan in view of setbacks listed in this ordinance and/or sound planning principles and shall either approve, modify, disapprove the setbacks shown, or refer the matter to the Planning Commission for a determination. In the case of modification or disapproval, the applicant may appeal to the Planning Commission for further consideration.

<u>Street Designation</u>	<u>Setback from Ultimate Right-of-Way Line</u>
Major and Primary	20'
Local Collector	15'
Local Street	10'

E. Setbacks from Property Lines

All setbacks listed under this section refer to property lines not affected by the requirements of Sub-Section D above. The minimum setback shall be five (5) feet, except there shall be at least ten (10) feet between structures on adjacent lots and no dwelling or main residential structure shall be closer than ten (10) feet to any other dwelling or main residential structure on the same lot. The above standards shall be required unless one of the following conditions prevails.

1. Structures which abut a plaza, park, mall or other permanent open green space may abut the common property line and have openings onto same, provided the open spaces are not publicly owned.
2. Detached garage or carports may be located on a property line and need not provide the required ten (10) feet between garage or carport structures on adjacent lot.

F. Parking

Off-street parking for apartment uses in Areas 8 and 13 shall be provided as follows:

One bedroom and efficiency	- 1.5 spaces per apt. unit
Two bedrooms	- 1.75 spaces per apt. unit
Three or more bedrooms	- 2.0 spaces per apt. unit

A minimum of one (1) parking space per apartment unit shall be covered. Where a fractional figure is found as a remainder in computations made to determine the number of required off-street parking spaces, said fraction shall be rounded upward.

Within one (1) year following 75 percent initial occupancy of the entire project, the developer shall submit to the Department of Community Development a survey of the actual parking requirements experienced in the project. If the existing amount of on-site parking is insufficient, the Planning Commission, after public hearings, may require additional uncovered parking provided the total of all on-site parking shall not exceed 2.0 spaces per apartment unit. If such additional on-site parking is required, the additional spaces shall be provided in accordance with a plan to be presented to the City and subject to the approval of the Director of Community Development.

Parking meeting the minimum on-site requirements for each apartment unit shall be provided to the tenants at no extra cost.

G. Maximum Site Area Coverage

The maximum site coverage permitted shall be 75 percent of the net site area. For the purpose of this ordinance, site coverage shall mean to include all on-site developed areas (including driveways, parking areas, garages, patios and dwellings) exclusive of on-site open areas or recreational facilities.



H. Signs

One (1) double or single face ground sign per street frontage shall be allowed in Area 8 and Area 13. Said sign shall not exceed a height of four (4) feet not an area of thirty-five (35) square feet per face. Said signs may be internally or externally lighted and may list only the name of the project, apartment or apartment complex and a one (1) or two (2) word statement as to whether or not the project contains vacancies.

I. Fences, Hedges and Walls

Fences shall be limited to a maximum height of eight (8) feet. Said fences are allowed in all setback areas, except in the view site setback where fences shall not exceed a height of six (6) feet and shall be open wrought iron or glass and further provides that no such appurtenance shall be placed closer than four (4) feet to any sidewalk or eight (8) feet from face of curb in the event no sidewalk is provided. Where the fence is required to protect a swimming pool, the fence shall be constructed so as to meet the requirements of the Uniform Building Code for pool safety. Wing walls, where an extension of a residential or accessory structure, may be eight (8) feet in height. At street intersections (to include driveway intersections with streets), no such appurtenance shall exceed thirty (30) inches in height above street pavement grade within the triangle bounded by the right-of-way lines and a connecting line drawn between points thirty (30) feet distant from the intersection of the right-of-way lines prolonged.

## SECTION VIII. Commercial Area 14

This area is intended primarily to provide for the retail, service, office, medical and dental and general commercial facilities necessary to support this community.

### A. Permitted Uses

1. Retail and service businesses including bars, restaurants (including outdoor, take-out and drive-in) and theater/nightclubs as specified in Title 20 of the Municipal Code.
2. Administrative and professional offices.
3. Automobile service stations subject to the approval of a Use Permit.
4. Institutional governmental, civic, cultural and recreational activities.
5. Accessory structures and uses necessary and customarily incidental to permitted uses.
6. Signs contained in Section X, Signs, of this ordinance subject to the criteria contained in said section.

### B. Minimum Site Area

A minimum site area of six (6) acres shall be required of the total development in Area 14.

### C. Maximum Building Height

All buildings shall comply with the height restrictions established by the City for this area. If no height limits have been established for this area, then the maximum height of all buildings shall be thirty-five (35) feet and two (2) stories and shall be measured in accordance with the Newport Beach Municipal Code.

### D. Setbacks

A minimum ten (10) foot building setback shall be maintained from all property lines with the following exceptions:

1. If the subject site is adjacent to a commercially zoned parcel, no setback shall be required between said parcels.
2. No structure shall be located closer to a residential structure on an adjacent site than a distance equal to twice the height of the commercial structure.

### E. Landscaping

#### 1. Streets

A minimum ten (10) foot continuous landscape area shall be maintained adjacent to all street or highway rights-of-way except for any access drive or pedestrian walkway. Said landscaping shall not exceed thirty (30) inches in height within twenty (20) feet of intersection or access drive.

#### 2. Interior Property Lines

A continuous visual screen of a minimum width of ten (10) feet shall be maintained adjacent to all interior property lines which abut residential lots. Screening may be

provided by means of fences, walls, berms, changes in elevation or plant materials. Where such screening has been provided on the residential site of the property line, this requirement is waived.

3. Parking Areas

A minimum 5 percent of the total building site shall be devoted to Landscaping, with a minimum 25 percent of that total to be located within the parking areas.

F. Parking

Retail and Service Businesses

One (1) parking space for each 250 square feet of gross floor area.

All Other Uses Permitted by Section VIII (A)

Parking shall be evaluated based on adopted City requirements in effect at time of development.

G. Signs

1. Identification Sign Area: General Standard

Only one (1) single or double-faced identification sign shall be permitted per street frontage for each individual business.

No sign shall exceed an area equal to one and one-half (1 1/2) square feet of each sign for each one (1) foot of lineal frontage of the building or store. However, no sign shall exceed 200 square feet in area per face.

a. Identification Ground Sign

An identification ground sign shall not exceed four (4) feet above grade in vertical height. Also, such ground signs in excess of 150 square feet in area (single face) shall not be erected in the first ten (10) feet, as measured from the property line, of any streetside setback. However, the above standards shall not apply to the Multi-Tenant Director Sign or the allowed signs listed in the Section X, Signs, of this ordinance.

b. Identification Wall Sign

In no event shall an identification sign placed on a wall comprise more than 10 percent of the area of the elevation upon which the sign is located. Said signs shall be fixture signs. Signs painted directly on the surface of the wall shall not be permitted.

2. Pole Sign

One (1) identification pole sign per site will be allowed for the following commercial businesses:

- a. Restaurant
- b. Cocktail lounge and/or bar
- c. Motel and Hotel
- d. Service stations

If a pole sign is utilized, it shall be in lieu of other identification signs allowed by ordinance. Pole signs shall be limited to a maximum height of twenty (20) feet and a maximum area of fifty (50) square feet per face, double-faced.

3. Multi-Tenant Director Sign

One (1) directory sign listing only the name of the firms or businesses on a site shall be allowed. Said sign shall be limited to a maximum height of twenty (20) feet. Panels identifying each individual store shall be no larger than one (1) foot in width and five (5) feet in length.

4. Real Estate Sign

A sign advertising the sale, lease, or hire of the total site shall be permitted in addition to the other signs listed in this section. Said sign shall not exceed a maximum area of thirty-two (32) square feet and shall be a ground sign or window sign.

5. Additional Signs

Additional signs, as listed in Section X, Signs, of this ordinance shall be permitted according to the criteria contained in said section.

H. Sign Standards

- 1. Signs visible from the exterior of any building may be lighted, but no signs or any other contrivance shall be devised or constructed so as to rotate, gyrate, blink or move in any animated fashion.
- 2. Identification signs shall be restricted to advertising only the person, firms, company or corporation operating the use conducted on the site or the products produced or sold thereon.
- 3. A wall sign with the individual letters applied directly shall be measured by a rectangle around the outside of the lettering and/or the pictorial symbol and calculating the area enclosed by such line.
- 4. All signs attached to the building shall be flush mounted.

## **SECTION IX. Community Facilities - All Areas**

The following regulations apply to the development of public and private community facilities. Prior to the issuance of a building permit, plot plans, elevations and any other such documents deemed necessary by the Community Development Director shall be subject to the review and approval of the Community Development Director.

### **A. Permitted Uses**

The following uses, provided they are in conjunction with private community recreational facilities and not commercial in nature, shall be allowed. Similar uses of a commercial nature shall be allowed subject to the granting of a conditional use permit.

1. Schools, churches, libraries, community centers, civic or cultural facilities, such as art galleries, museums, music centers, etc., and establishments for the care of pre-school children.
2. Parks, playgrounds, recreation or open green areas, riding, hiking and bicycle trails and related facilities.
3. Accessory buildings, structures and uses related and incidental to a permitted use.
4. Signs identifying or giving directions to permitted uses and facilities. No sign shall exceed thirty-five (35) square feet in area.
5. Two attached residences for the Metropolitan Water District reservoir site caretakers' exclusive use. (A590)

### **B. Maximum Building Height**

All buildings shall comply with the height restrictions established by the City for this area. If no height limits have been established for this area, then the maximum height of all buildings, excluding the caretakers' residence (A590) shall be thirty-five (35) feet and two (2) stories and shall be measured in accordance with the Newport Beach Municipal Code. The caretakers' residences shall not exceed a maximum average height of fifteen (15) feet, and shall be measured in accordance with the Newport Beach Municipal Code (A590).

### **C. Setbacks**

Twenty-five (25) feet from all residential property lines, and ten (10) feet from any streetside property lines. No structure shall be located closer to a residential structure on an adjacent site than a distance equal to twice the height of the nonresidential building. The height of the nonresidential structure above the grade elevation of the residential site shall apply. Structures, which abut a plaza, park, mall, greenbelt or other permanent open space, may abut the common property lines.

- D. A minimum of ten (10) feet (depth) of continuous landscaping shall be maintained adjacent to all streets or highway rights-of-way, except for perpendicular access driveways and pedestrian walkways. Landscaping shall not exceed thirty (30) inches in height within ten (10) feet of an intersection or access drive.

E. Screening

A continuous visual screen, six (6) feet in height, shall be maintained adjacent to all interior property lines that abut residential lots. Screening may consist of fences, walls, berms, or lineal or group masses of trees and/or shrubbery.

F. Parking

Parking for community facilities shall conform to the parking requirements of the City of Newport Beach. The Community Development Director shall review said facilities and require the amount of off-street parking deemed appropriate, relative to the intended use and activities of such facilities.

## **Section IX-A: Open Space Area 18**

The intent in this area is to provide for the retention of the site as open space with selected permitted uses.

### **A. Permitted Uses**

1. Preservation and restoration of existing habitat.
2. Drainage facilities.
3. Roadway right-of-way.
4. Utility right-of-way.
5. Passive and active park uses.
6. Hiking and bicycle trails.

## **SECTION X. SIGNS**

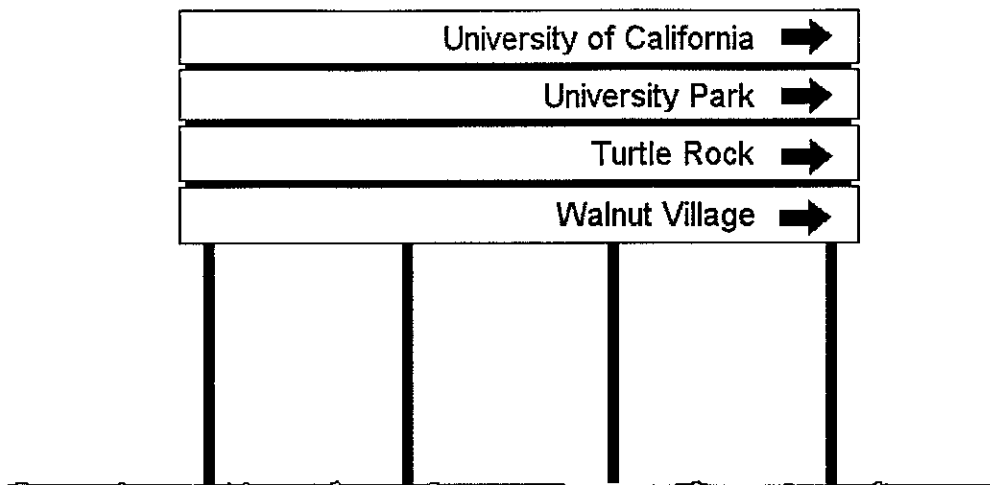
The following material represents a portion of the sign program for The Irvine Company. It is the product of extensive technical research encompassing the psychological and physical characteristics of the visual communicative arts. It is an endeavor to both identify and provide for the primary functions of any sign program; that of product identification; providing data about the product; and informing prospective buyers how and where to purchase that product.

The manual is not intended as a substitute for detailed engineering knowledge, experience or judgment. It is intended to provide a quick and graphic representation of those signs to be allowed on Irvine property and under what conditions said signs shall be allowed. It includes such pertinent data as justification for a particular sign, where the sign may be located, how long it may be erected, and fabrication specifications.

It is intended that the following sign criteria be utilized as a policy guideline regulating signs on a uniform basis for all company properties.

Sign type letters A, B and C shall be subject to a conditional use permit. Sign type letters D, E, F and G shall be subject to the approval of the Director of Community Development.





**SIGN TYPE (A)**

**FREEWAY "PLANNED COMMUNITY" TRAVEL DIRECTIONAL SIGN:** A sign consisting of panels which inform the viewer of the route or direction of travel in order to arrive at Irvine planned communities.

**POLICY:** Shall consist of one, two, three or four panels maximum, depending upon the number of communities requiring identity at that location. Each panel shall display the name of a planned community or significant regional land use and a directional arrow. May be double faced if required. Signs shall be located prior to freeway off ramps. A community shall be identified only on the signs located prior to the primary access road to the community from the freeway. Signs shall contain four panels for aesthetic balance even though some panels may be blank.

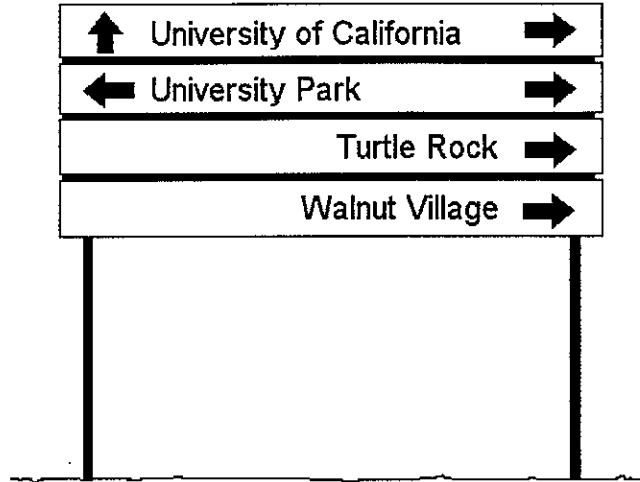
**LOCATION:** Only one sign structure shall appear before the entrance to an existing freeway off ramp. This sign shall be located no less than 660 feet and no more than 1320 feet from the point at which the apron starts to widen for the off ramp.

**LONGEVITY:** Each sign panel shall have a time limit of 5 years from the date specified in the text for a planned community request, subject to renewal by the appropriate public agency if new homes are still for sale in the community.

**COLORS:** Blue panels with white letters and arrows, black supports, blue back.

**ILLUMINATION:** None.

**SIGN SURFACE AREA:** 97.5 square feet per sign panel. Total sign area approximately 390 square feet.



**SIGN TYPE (B)**

**HIGHWAY "PLANNED COMMUNITY" TRAVEL DIRECTIONAL SIGN:** A sign consisting of panels which inform the viewer of the route or direction of travel in order to arrive at Irvine planned communities.

**POLICY:** The sign shall be limited to a maximum of four panels, depending upon the number of communities requiring identity at that location. Each panel shall display the name of a planned community or significant regional land use and a directional arrow, only. Each of the panels may be double faced if required. Signs shall be placed only on major and primary roads, and shall contain four panels for aesthetic balance even though some panels may be blank.

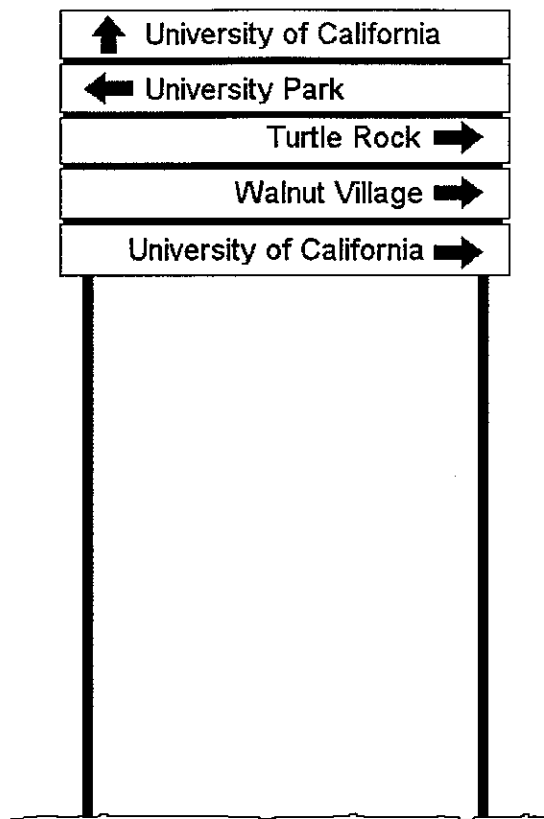
**LOCATION:** Only one such sign structure shall exist within 1320 feet of a major intersection in each direction. The sign may be on either the right or left hand side of the road.

**LONGEVITY:** Each sign panel shall have a time limit of 5 years from the date specified in the text for a planned community request, subject to renewal by the appropriate public agency if new homes are still for sale in the community.

**COLORS:** Blue panels with white letters and arrows, black supports, blue back.

**ILLUMINATION:** None.

**SIGN SURFACE AREA:** 36.6 square feet per panel. Total sign area approximately 146.4 square feet.



**SIGN TYPE (C)**

**INTERSECTION DIRECTIONAL SIGN:** A sign consisting of panels that inform the viewer of the route or direction of travel in order to arrive at Irvine planned communities.

**POLICY:** Shall consist of one, two, three, four or five panels maximum depending upon the number of communities requiring identity at a particular intersection. Each panel shall display the name of a planned community or significant regional land use and a directional arrow, only. Each of the panels may be double faced if required.

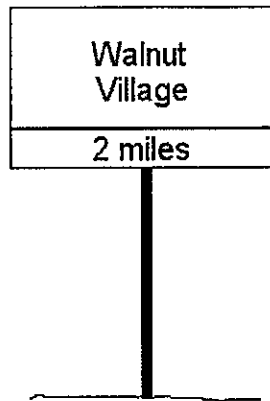
**LOCATION:** Ideally suited for intersections that require the motorist to make a complete stop, and where directional assistance is required for many communities. Such signs shall be within five miles of the communities they identify and shall be located along direct routes to a planned community.

**LONGEVITY:** Each sign panel shall have a time limit of 5 years from the date specified in the text for a planned community request, subject to renewal by the appropriate public agency if new homes are still for sale in the community.

**COLORS:** Blue panels, white letters and arrows, black supports, blue back.

**ILLUMINATION:** None.

**SIGN SURFACE AREA:** 4 1/2 square feet per panel. Maximum total area 22.5 square feet.



#### **SIGN TYPE (D)**

**REASSURANCE SIGN:** A sign designed to reassure motorists of their direction of travel and distance to Irvine planned communities and points of major interest.

**POLICY:** Such signs shall be not more than five feet in vertical height or horizontal length exclusive of ground clearance and shall not exceed a total area of 15 square feet. May be double faced if required.

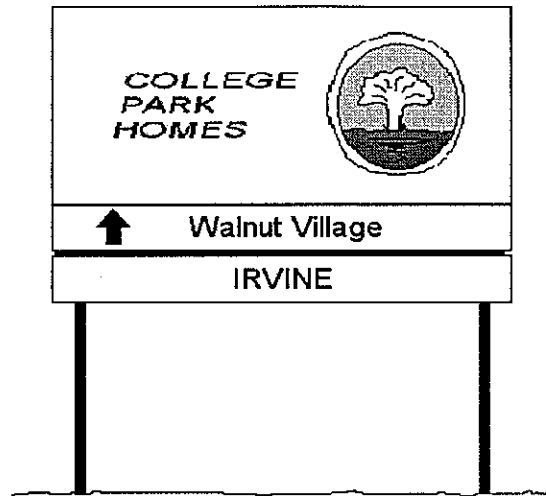
**LOCATION:** Such signs shall be located only along direct routes to the planned community or significant regional land use. They shall be within five miles of the community or land use they identify, and they shall be at least one-half mile from any other reassurance sign identifying the same planned community or regional land use.

**LONGEVITY:** Each sign shall have a time limit of five years, subject to renewal by the appropriate public agency if still serving a public need.

**COLORS:** Information panel green with white letters, direction and distance panel blue with white letters, gray support.

**ILLUMINATION:** None.

**SIGN SURFACE AREA:** 13.5 square feet.



### SIGN TYPE (E)

**TRACK "SUBDIVISION IDENTIFICATION" AND COMMUNITY DIRECTION SIGN:** A sign which informs the viewer of the name of the planned community he is approaching and the direction of travel to enter that residential community and the name/s of the developer/s who are currently building and/or marketing homes in that community.

**POLICY:** Shall not exceed 120 square feet in sign surface area. May be used as an on-site (within the boundaries of the planned community) or an off-site sign. Shall display only the name/s and/or symbols of the developer/s who are currently building and/or marketing homes in that community or the name or names of the tract development within that community (maximum of 2) and the name of the planned community and a directional arrow, and the name "Irvine." May be double faced if required.

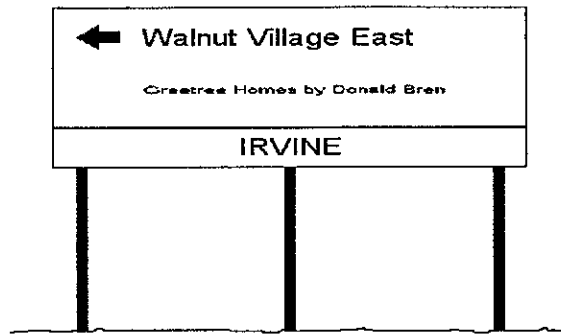
**LOCATION:** To be located before critical intersections that introduce the major entry/ies to a Planned Residential Community.

**LONGEVITY:** Each sign shall have a time limit of five years from the date of issuance of the sign permit. Subject to the renewal by the appropriate public agency if new homes are still for sale in the community.

**COLORS:** The top rectangle is light tan with olive brown lettering. The symbol may be any color that has been approved by the Irvine vice president for Corporate Communications. The community name and arrow are white on a blue background. "Irvine" is white on a green background. Gray supports; gray back.

**ILLUMINATION:** None.

**SIGN SURFACE AREA:** 120 square feet.



### **SIGN TYPE (F)**

**COMMUNITY ENTRY SIGN:** A sign that identifies the entry to a development in an Irvine community in which homes are for sale. The sign informs the viewer of the name of the community, the names of the developments in that community and the direction of travel to reach the model areas.

**POLICY:** Wherever possible shall be used as an on-site sign (within the boundaries of the community). Shall be double faced where required.

**LOCATION:** At or near the main entry/ies to the residential community.

**LONGEVITY:** Each sign shall have a time limit of 5 years from the date specified in the text for the planned community. Subject to renewal by the appropriate public agency if new homes are still for sale in the community.

**COLORS:** Irvine Company identity area green with white letters, community and development area blue with names and arrows white, gray supports, gray back.

**ILLUMINATION:** None.

**SIGN SURFACE AREA:** 160 square feet.



### **SIGN TYPE (G)**

**FUTURE FACILITY SIGN:** A sign that informs the viewer, through symbol and verbal reinforcement, of the type of facility planned for a community.

**POLICY:** The sign shall identify facilities that are planned as part of a planned community and are to be constructed in the immediate future. General symbols, designed to identify and not to advertise, will represent the same type of facilities in each of the Irvine communities. May be double faced if required.

**LOCATION:** Always installed on the site of the facility and oriented to the nearest street. One sign to be utilized for each street fronting on the site.

**LONGEVITY:** From the time the site has been zoned for the facility until construction and/or leasing is completed.

**ILLUMINATION:** None.

**SIGN SURFACE AREA:** 96 square feet maximum (including 4 "rider" panels).

**COLORS:** Dark brown symbol and olive brown lettering on light tan background. Rider panels are reversed with light tan lettering on olive panels. Legs and backside are olive brown.

**SYMBOLS:** General symbols, similar to but not limited to the examples given, will be designed to identify said facilities.